IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 8420 of 1991

For Approval and Signature:

Hon'ble MR.JUSTICE R.R.TRIPATHI

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : YES

2. To be referred to the Reporter or not? : YES

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the Civil Judge? : NO

YASHODHARA PANDYA

Versus

STATE OF GUJARAT

Appearance:

Shri Manoj Shrimali for Shri GIRISH PATEL for Petitioner

Ms.Nandini Joshi, ASSTT. GOVERNMENT PLEADER

for Respondent No. 1, 2

CORAM : MR.JUSTICE R.R.TRIPATHI

Date of decision: 08/09/2000

ORAL JUDGEMENT :

The present petition is filed by the petitioner for the reliefs as prayed for in para 8 of the petitioner, namely, declaring the action of the respondents in refusing to register the change of name and surname of the petitioner as arbitrary, capricious,

violative of Articles 14 and 21 of the Constitution of India, illegal, null and void and for quashing and setting aside the same. In para 8(B) the petitioner has prayed that;

> 8. .. .. be pleased to issue a writ of certiorari, mandamus or any other appropriate writ, direction or order -
>
> (A) xx xx
>
> (B) directing the respondents to register the change in the name of the petitioner as Yashodhara Manushi or Yashodhara Hasumati Manubhai Manushi and to publish the same in the Gazette forthwith."

2. Ms.Nandini Joshi, learned Assistant Government Pleader pointed out that one of the conditions enjoined for getting the name published in the Gazette is that the applicant cannot make any changes in father's name. In the present case, one of the prayers of the petitioner is not objected by the respondents and it is agreed that her name will be published in the Gazette as "Yashodhara Manushi".

3. That being so, the present petition is allowed to that extent only. The name of the petitioner be published in the gazette as per the prayer, i.e. "Yashodhara Manushi", as against "Yashodhara Pandya". The petition is allowed with no order as to costs. Rule is made absolute.

8th September 2000 (Ravi R. Tripathi, J.)

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